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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,675	10/30/2001	Rachel Kuller	10011417-1	1411

7590 02/03/2003

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Intellectual Property Administration
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EXAMINER

MAYES, MELVIN C

ART UNIT	PAPER NUMBER
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1734

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DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,675

Applicant(s)

KULLER ET AL.

Examiner

Melvin Curtis Mayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 18-25 and 27-30 is/are rejected.
- 7) ☒ Claim(s) 9-17 and 26 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 103

(1)

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

(2)

Claims 1-6, 19, 21-25, 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM Technical Disclosure Bulletin.

IBM Technical Disclosure Bulletin discloses a document binding system comprising: a printer 10 for producing a sequence of copy sheets; double-coated tapes on backing web 20 fed from a supply spool or reel 19; a transfer device such as a drum 25 for transfer of double-coated tape from the backing web to the printed copy sheets.

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By providing the printer with a reel of double-coated tape on a backing web and transfer device for transfer of the tape to printed sheets, the printer is obviously provided with an adhesive station applying adhesive film to selected media passing through the printer. By providing double-coated tape on a backing web on a reel, adhesive is obviously taken from a reel-form stock comprising a carrier, first and second adhesive coating on the carrier and backing sheet, as claimed in Claim 5, 6 and 23-25.

(3)

Claims 1-4, 19, 21, 22, 27, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mosher, Jr. 5,609,716.

Mosher, Jr. 5,609,716 discloses an apparatus for manufacturing identification bracelets comprising: translating means 18 for driving a bracelet strip through the apparatus; an information imparting device 30 such as a mechanical printout device to print information to the bracelet strip; and a fastener supply means 40 including a reel for a strip of release paper which has patches of adhesive thereupon for transfer to the bracelet strip (col. 3, line 45 – col. 4, line 62).

By providing the apparatus with a reel of release paper with patches of adhesive thereupon for transfer to the bracelet strip, the apparatus is obviously provided with an adhesive station applying adhesive film to selected media passing through the printer, as claimed in Claims 1 and 19.

(4)

Claims 1, 2, 19-21, 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook.

Silverbrook discloses a printing device comprising: driving station comprising a pair of rollers 12 for feeding a page 11; printing station having a print head such as ink jet print head for printing the page; and adhesive application station having adhesive applicator 16 for applying a strip of adhesive to one side of the page, such as the bottom surface (paragraphs [0052-0072]).

By providing the printing device with an adhesive application station for applying a strip of adhesive, the printing device is obviously provided with an adhesive station applying adhesive film to selected media passing through the printer, as claimed in Claim 1 and 19.

(5)

Claims 1, 2, 7, 8, 18, 19, 21 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luxeder.

Luxeder discloses a method of making labels comprising: providing a size and type of printing paper; inserting the paper into a printing apparatus to transfer images to a selected surface of the paper by a conventional printing device such as letterpress, offset lithography, rotogravure or silk screen; and transferring pressure sensitive adhesive from a printing plate to the reverse surface of the paper. Luxeder discloses that the process can produce labels without restrictions on paper size and with existing equipment commonly found in printing companies (col. 2, line 14 – col. 3, line 55).

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It would have been obvious to one of ordinary skill in the art to have selected paper (media) from a set of paper of varying size, as claimed in Claim 7, because Luxeder discloses that the process can produce labels without restrictions on paper size.

By providing the printing apparatus with a printing plate for transfer of adhesive, the printer is obviously provided with an adhesive station applying adhesive film to selected media passing through the printer, as claimed in Claim 1.

By inserting the paper into a conventional printing device such as a rotogravure, a printer comprising a media feed path and transport mechanism is obviously provided, as claimed in Claim 19.

Allowable Subject Matter

(6)

Claims 9-17 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

(7)

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references disclose making labels by printing and applying adhesive.

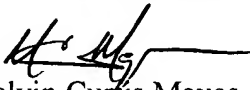
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(8)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin Curtis Mayes whose telephone number is 703-308-1977. The examiner can normally be reached on Mon-Fri 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 703-308-3853. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.


Melvin Curtis Mayes
Primary Examiner
Art Unit 1734

MCM
January 23, 2003